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2007 JUL -3 P 12:40

CLEARED FOR ENTRY  
NORFOLK, VIRGINIA

July 2, 2007

**Via First Class Mail**

Ms. Kimberly Everton, Deputy Clerk  
United States District Court  
600 Granby Street  
Norfolk, VA 23510

**Re: JTH Tax, Inc. v. Nien Van (2:07cv154)**

Dear Ms. Everton:

I am in receipt of your letter dated June 28, 2007 wherein you request a written status report. Please be advised that on July 20, 2007, the parties reached a settlement and an Agreed Permanent Injunction and Dismissal Order was sent to the Court for entry. A copy of the proposed order and letter to the Clerk are enclosed.

Thank you very much.

Yours truly,  
**LIBERTY TAX SERVICE**

Vanessa Szajnoga  
Corporate Counsel

Enclosure

Cc: Nien Van w/enc.



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June 20, 2007

**Via First Class Mail**

Mr. Fernando Galindo, Clerk  
United States District Court  
600 Granby Street  
Norfolk, VA 23510

**Re: JTH Tax, Inc. v. Nien Van (2:07cv154)**

Dear Mr. Galindo:

Enclosed please find an Agreed Permanent Injunction and Dismissal Order in the above referenced matter. Please accept this Notice of Dismissal for filing and enter the Agreed Injunction. At your convenience, please forward to my attention an endorsed copy of the Agreed Permanent Injunction and Dismissal Order.

Thank you very much.

Yours truly,  
**LIBERTY TAX SERVICE**

A handwritten signature in cursive script that reads "Vanessa Szajnoga". The signature is written in dark ink and is positioned below the typed name.

Vanessa Szajnoga  
Corporate Counsel

Enclosure

Cc: Nien Van w/enc.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

**JTH TAX, INC. d/b/a LIBERTY TAX  
SERVICE,**

**Plaintiff,**

**Civil No. 2:07cv154**

**v.**

**NIEN VAN,**

**Defendant.**

**AGREED PERMANENT INJUNCTION AND DISMISSAL ORDER**

THIS DAY CAME the parties, the plaintiff by counsel and the defendant, pro se, and represented that all matters in controversy had been resolved and settled and that as part of that settlement the parties have agreed to the permanent injunctive relief set forth below;

UPON THE PARTIES' AGREEMENT, and it appearing proper to do so, the Court hereby ORDERS that the defendant, Nien Van ("Van"), and all persons and entities in active concert or participation with her shall, within seven (7) calendar days of the date of entry of this Order-

(a) discontinue further use of the marks "Liberty Income Tax," "Liberty Tax Service," and "Liberty Tax Service" and design, or any mark confusingly similar thereto;

(b) deliver to Liberty all copies, including electronic copies, of lists and other sources of information containing the names of customers who patronized Van's former Liberty Tax Service business;

(c) deliver to Liberty all customer tax returns, files, records and all copies thereof;

(d) deliver to Liberty its Operations Manual and all updates which Liberty loaned to Van;

(e) through March 13, 2009 not directly or indirectly prepare or electronically file income tax returns, or offer Bank Products, within her former Liberty Territory known as TX272 or within 25 miles of the boundary of such Territory; and

(f) through March 13, 2009 not directly or indirectly, within the Liberty Territory TX272 or within 25 miles of the boundaries of such Territory, solicit the patronage of any person or entity served by Van's prior Liberty office during the time period March 13, 2006 through March 13, 2007 for the purpose of offering such person or entity tax preparation, electronic filing or Bank Products; and

(g) abide by all post termination obligations contained in paragraphs 9 and 10 of Van's Franchise Agreement.

FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of enforcing this Order but otherwise orders this matter dismissed.

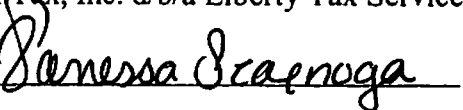
ENTER: \_\_\_\_\_  
Judge

DATE: \_\_\_\_\_

WE ASK FOR THIS:

JTH Tax, Inc. d/b/a Liberty Tax Service

By:



Vanessa M. Szajnoga (VSB #71500)

Corporate Counsel

Liberty Tax Service

1716 Corporate Landing Parkway

Virginia Beach, VA 23454

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Nien Van

By:



Nien Van

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